

Western Carolinian.

It is even wise to abstain from laws, which however wise and good in themselves, have the semblance of inequality which find no response in the heart of the citizen, and which will be evaded with little remorse.
The wisdom of legislation is especially seen in grafting laws on conscience.

Dr. Channing.

[BY BURTON CRAIG.]

SALISBURY, ROWAN COUNTY, N. C. MONDAY JUNE 3, 1833.

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TERMS

The WESTERN CAROLINIAN is published once a week at two dollars per annum, if paid within three months; or two dollars and fifty cents, if paid at any other time within the year. No Paper will be discontinued until all arrears are paid, unless at the Editor's discretion. No subscription will be received for a less time than one year.

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POLITICAL

FROM THE NORFOLK HERALD. PRESIDENT'S PROCLAMATION. No. 10.

Although I have contended, that the several States which compose this Union, are free, Sovereign and independent, yet let no one suppose, even for an instant, that in asserting their supremacy, I mean to deduce from thence, their emancipation from any obligation. A State must be constituted by rational and accountable beings; and although but an ideal creation yet as it can only think and act through its members, it must bear their character. It becomes a moral and accountable being itself, bound by every moral obligation which attaches to man as an individual; and even in a higher degree.

I certainly do not concur with the learned author of this Proclamation, in the new precepts of ethics or of public law which he announces therein, when he says, "A binding obligation has no sanction, may be broken with no other consequence than moral guilt." Or when he infers from that premise, that as "a league be tween independent nations, generally, has no sanction other than a moral one; or, if a single nation contains a penalty, as there is no common superior, it cannot be enforced." My error (if it is one) proceeds; probably, from my utter incapacity to comprehend what is meant by moral guilt, or by a moral sanction. To my dull apprehension, moral guilt appears very like a true falsehood, and by moral sanction I must believe is meant physical morality. I doubt not however, that all those who can understand what this State paper means, when it speaks of "aggregate character," or of "a nation for certain purposes," will as easily discover what it intends by moral guilt and moral sanction. Nay, as formerly we have been taught to understand the possibility of a constructive journey, and of moral Treason, we may expect to hear in some commentary upon this paper, of constructive and so unaccountable Representatives, and of the transfer of moral allegiance.

According to my old fashioned notions of Morals and Law, there is no human obligation which attaches to individuals or to states; nor does the existence of any common superior to enforce it. To me it seems a solecism, to speak of obligations that do not oblige; and that which obliges the observance of obligation, is its sanction, be that what it may. Nor would it be less a solecism, to suppose that the sanction of any human obligation, was to be found in the precepts of morality only; for as these precepts constitute mere obligations themselves, one obligation would so become the sanction of another. In such a case, it might probably puzzle the acumen even of those who can comprehend the theory of moral guilt, to decide which was the obligation and which the sanction. And if the existence of some common superior, was necessary to give validity to sanctions, the obligations contracted by States, could never be rightfully enforced by other States, so long as the equality of States is conceded. Yet no man before this author, has ever doubted the existence of such a right.

It would be foreign to my present purpose, to enquire, what is the sanction of national obligations, or by whom, or how, or when, these may be applied and enforced. I may, perhaps recur to this subject hereafter. At present, it will be only necessary to say, that it is not morality merely, but the law, that gives the sanction of all human obligations which deserve that name. This law must be administered by human agents, who can employ none other than human means. In the case of individuals, it is the municipal law of their country, which gives the sanction of all their perfect obligations. This law is administered by Magistrates only; but its sanctions although declared by them alone, must have been forced, when necessary, by the power of mere men. In the case of States, it is the public law of the civilized world which gives the sanction of the obligations of nations. This law is administered by States alone; and the sanctions declared by it, must be applied and enforced, when necessary, by the physical power of their subjects, who, as in the former case, are mere men. Thus it occurs, that in all cases, the preservation of human Rights,

must be entrusted to the hands of human Power. But until this guardian becomes his own word, power and right will not be contended, any more than the obligation with its sanction, or either with the physical force that may possibly become necessary to apply the one or to enforce the other.

If a state as a moral being may contract obligation, as an accountable being it is obliged to keep its faith, and to observe the promise it has given. Should it refuse to do so, it incurs the guilt of violated faith, and renders itself amenable to the punishment of such guilt, which may then be rightfully inflicted upon. By whom, or when, or how, I will hereafter enquire. Whether this sanction prove efficacious or not as a sanction, cannot alter either the guilt or the right. The unknown or fugitive malefactor, who so escapes "unwhipped of Justice," cannot thus convert his crime into what this author would perhaps call moral guilt; nor must the powerful subject, who successfully resists the lawful commands of his Sovereign, and so prevents their execution, flatter himself with the hope that he is but a moral traitor. The name of the State which violates its faith becomes the by-word of the civilized world. The decree *delenda est Carthago* will be uttered by that world; and while nations are but vice-gerents of Him who delights in Justice, this decree must be executed, not perhaps in the first, nor yet in the second Punic war, but Carthage must fall, and fall by human means too, for Carthage was faithless.

With this solemn truth deeply impressed upon my heart, and with this awful example full in my recollection, I will proceed briefly to enquire, whether the Sovereign States who compose this Union, have pledged their faith in regard to it, by the Federal Constitution; to whom that pledge was given; what was the object and extent of the pledge; by whom and how it may be violated; and what are the legitimate effects of such a violation. I will not argue the first question. It would be an insult to every American, to suppose that he ever doubted, or could now doubt, upon this subject. We all admit, that the States, by their several ratifications of the Constitution of the United States, pledged their faith, and severally promised "that it should be binding upon their people."

It remains to enquire, whether this pledge could not possibly have been given to the Government of the United States. This did not exist when these ratifications were made; and the very object of the ratifications, was to create it, to preserve it, and to amend it, when the Sovereign parties saw fit to do so. The pledge was given by each State to its Co-States; was given and received to and by each mutually and reciprocally; the pledge of one being the consideration of the pledge of another.—These mutual and reciprocal pledges, constituted a valid contract between them all, which, whether it may be more properly called "a league"—"a compact"—or "an agreement"—I willingly leave to the learned author of this Proclamation to decide. Nor is it of the slightest importance to my present purpose, to enquire, whether a Covenant made by a State with its Co-States, having for its object the establishment of Government, is more or less solemn, than if the object of the covenant had been to establish an Alliance, or to do any other act. If it be a Covenant at all, I admit, that the faith of the contracting Sovereign parties is mutually pledged to observe it; and whatever may be the form, or whatever the object of their Covenant, *Fides servanda est*. No one can reasonably ask less than this—all for which I contend, is, that the promise was made by every ratifying State, to its Co-States, and by no possibility could have been made to a mere potential Government, which at the time of the promise made, had not, and by possibility never might have had, any actual existence. If this is so, the Constitution of the United States, is a covenant between the several Sovereign States by whom it was ratified, to which covenant the Government thereby created is not, nor by any possibility could be a party.

To ascertain what was the object and extent of the pledge, we must look into the instrument itself to which the ratifications of the several Sovereigns refer. We shall there find, that to attain certain great and enumerated objects, a government was to be ordained and established, endowed with certain enumerated powers, for the attainment of the enumerated objects. Therefore, the faith of the parties was pledged, each to the other; to create such a government, endowed with such powers, to be exerted for such purposes—to continue and maintain this government in the free exercise of all these powers, while exerted for these objects—and so to support this Constitution. Further than this, it is confidently believed that no one, at this day, can suppose the faith of the sovereign parties was ever pledged.

So far the way is smooth. But when it is asked, how and by whom the faith pledged by the high contracting parties, in their several ratifications of this their covenant, may be violated? The answer, seems, at the first view of the question, to be not so easy. Yet there is no real difficulty in the way, provided our first approach to it are all true and sustained;

for this answer, will be found but a corollary from the former conclusions.—Thus when it is asked, how this Covenant may be violated? the general answer, is obviously this. It may be violated, by the refusal or neglect of any of the parties, to do any of the several acts, which they have respectively stipulated in the covenant, that they would do; or by their doing any of the several acts, which they have respectively stipulated, in the covenant, that they would not do; and it cannot be violated by them in any other mode. For, while all the parties do and forbear to do, all that by the Covenant they have promised to do and to forbear from doing, the performance is so extensive with the promise, the latter is so fully satisfied, *et Fides servata est*.

So too, when it is asked, by whom may this covenant be violated? The answer is by some of the parties to it only. If all agree to disregard it, this is no violation, but a mere justifiable change or avoidance of the Covenant, by the parties who made it, and who may at any time alter or abolish it, at their will. Nor is it of the slightest consequence, when the parties all concur, whether the change or avoidance of the covenant, is effected in the mode there prescribed or not. For, no one of its parts, is more obligatory upon the faith of the parties, than any other; and they have the same right (all agreeing) to abrogate the part prescribing the mode in which alone it may be amended, as to change any other part of the instrument. The whole is but a promise made by each to all; and all can as rightfully annul the promise of each to themselves, as any individual may cancel at his pleasure, a promise made to himself.—Neither is it possible, for any other than a party to violate any Covenant. For if this was possible, the faith of parties would not depend upon their own will and ability, but upon the will of others over whom they may have no control; and so faith never could be kept. Strangers, not parties to a covenant, may by other acts, prevent the parties from fulfilling its obligations upon them; but such acts of strangers, constitute a violation of these obligations, for none can violate it but such as the obligation obliges; and it is absurd to suppose, that one can obligate any other, than the person who voluntarily agreed that they would be bound by it.—Then, the Covenant entered into by each of these States with its Co-States, is violated by the State which the Sovereign parties to that Covenant. If this was not so, the peace of Nations and the faith of States, would hang upon the will of every incendiary ruffian who lives as the disgrace of the community of which he may be an unworthy member.

Here it may be asked, may not the government of the United States, or any State, or of any department of either of these governments, may, may not any one individual violate the Constitution of the United States? Doubtless each of them may do so; and in so doing, would be guilty of a very wicked act, which, generally, would draw down upon the agent of agents, the consequences of a sanction, they might then probably discover was not a mere "moral sanction," although the act might be done, even by this would be sovereign government of the United States, itself which if a Sovereign, could acknowledge no superior. But a violation of the Constitution of the United States, whether perpetrated by their government, or by any body else except a sovereign State, is not of itself, any breach of the Covenant for the observance of which the faith of the high contracting parties to that covenant is mutually pledged to each other; and this for the reason before given, that none but the parties can violate a Covenant; and that neither the government, nor any individual, is a party to that Covenant. When the Spanish Intendant at New Orleans, in contravention of the 22d Article of our Treaty with Spain, deprived the Citizens of the United States the right of deposit in the port of that city, this was no breach of the faith of Spain; because when she was informed of the act done by her officer under color of her authority, she disavowed it as having been done in virtue of any such authority given by her. So, too, when upon a more recent occasion a military officer of the United States, acting in contravention of many of the Articles of the same Treaty with Spain, entered her territory with the armed force under his command, seized upon her fortresses, slaughtered her subjects and annulled her sovereign powers, even this act constituted no breach of the faith of the United States. Because, they too when informed of these acts done by their officer, under color of their authority, disavowed them all, as having been done by him in pursuance any power given by them to him for these purposes. In neither case, the misdoings of these agents, although not breaches of the pledged faith of their respective Sovereigns, because unauthorized and disavowed by them, yet being done under color of their authority, bound these Sovereigns severally, to make reparation and compensation for the wrongs and injuries suffered; and in either case, such reparation and compensation was demanded and given.

Although it is true, that the Covenant formed between any State and its Co-

States cannot be violated by any other than by some of the Sovereign parties to that covenant, so to make the violation of it breach of their pledged faith, yet while man has free will, he may and often does commit wrongs, and crimes, and sins which may threaten a breach of his Sovereign's faith. To prevent this, every person, whether natural or corporate, in every country, must be a bandit or an outlaw, or law is forced to become the subject of some Sovereign; who in change for the protection its bound to afford, and the responsibility is compelled to bear for the act of its subjects, is entitled to their allegiance and obedience. Hence, all in the country are the subjects of some sovereign State, or amenable to the authority of the government of the United States, which government is itself amenable to the authority of the Sovereign States, its creators and preservers, and who, whenever they may see fit, can rightfully become its destroyers. If then that government or these States, are notified of an act done in violation of the Covenant which the States have pledged their faith to support and renege, by any of those dependent upon their authority, it is their sacred and solemn duty, to disavow the act done as having been done in virtue of their authority, to take effectual steps to prevent the repetition of such an abuse, and if it may be properly required, to make reparation for any injuries that may have been sustained from what has been done under color of their power.—If any state when so notified, appeals to, refuses or neglects to do these things, it thereby adopts the act as its own act, and assumes upon itself all the consequences.

In a country regulated as are the United States, the necessity for such a solemn appeal from one Sovereign State to its Co-States, must be very rare indeed. The acute moral sense of our people, the vigor of our laws, the division of our powers, the accountability of our magistrates, the policy of our governments, whether federal or State, all constitute so many different checks and preventives against the occurrence of any event that could justify or require any such step. It is possible, however, may have actually occurred more than once; and therefore, while treating of the mere theory of this our government, which theory, although exposed to very many objections, is applicable not to the government, but to the nation, it is more perfect than any thing the wit of man has ever produced, I must pursue it to all its consequences. I am so led to the enquiry, what may rightfully take place, should any State, after notifying its Co-States of a violation of the Covenant perpetrated by any of those who are amenable to their authority, meet from them with a refusal to redress the evil complained of, or should see this their solemn appeal treated with neglect.

The first consequence is obvious. Every State so refusing or neglecting, thereby adopts the act or omission complained of by its Co-State, as its own act. It affirms thereby, that the act of omission done, or suffered by its agents or subjects, has been done either by its order, under its permission, or with its approbation; and that it is willing to take upon itself all the legitimate effects of the act or omission be these what they may. What then, is the next consequence?

The high and solemn importance of this question, is a sufficient apology for me in postponing its examination to another number.

A VIRGINIAN.

Quite an animating contest is going on to the eastward. The proclamation of democrats are striving to pilfer, or rather openly rob their old opponents, the federalists, of their principles. This is neither fair nor honest. As the one party has got possession of all the "spoils," it is cruel to rob the other of their good name. "Who steals my purse steals trash—"

But the federalists fight manfully—not perhaps with as much vigor as when they were battling for the spoils—but still they contend that the proclamation is federalism—the very principles they have always contended for. They might probably be induced to yield the point for a consideration, and acknowledge that there never had been any difference between federalism and republicanism—and that they had always been Jeffersonian democrats with out having been found out. *Teleg.*

"Jefferson to Van Buren.—At the close of a long letter to Mr. Van Buren, dated June 29, 1824, Mr. Jefferson observed, 'I had meant to have added some views on the amalgamation of parties, to which your favor of the 8th has some allusion; an amalgamation of name, not of principle. Tories are still Tories, by whatever name they may be called.'"

Yes! and federalists are still federalists, whether they be called Jackson proclaimed, or Websterian consolidationists. The Tory Budget is a devoted Van Buren principle; the last it cares not much about; but the former would diminish its share of the "spoils."

THE FAMILY PHYSICIAN, OR GAZETTE OF HUMAN LIFE.

A work published monthly and simultaneously in Washington, Baltimore, Philadelphia, New York and Boston, in quarto form, at 12 cents a number, and \$1.25 for the volume. Each number will contain 16 quarto pages. We have received the first number, and have selected the following as a specimen of the work:

THE REMEDY OF THE SPLIT FOWL.

Among the disagreeable things attending the practice of that most arduous of all professions, medicine, are the prejudices the physician must always meet with, either in the mind of the patient or in those of his friends. It is easier to cure the bodily complaints of a hundred persons, than to eradicate the prejudices from the mind of one. Absurd and ridiculous, and hurtful notions, which have as it were grown up with them, will adhere to the mind, in spite of all the efforts of reason to root them out.

Visiting a patient a short time since, (for it is my misfortune to be a physician) I perceived a very disagreeable smell, like that of putrid meat, apparently issuing from beneath the bed clothes at the foot of the bed, and inquired what it was.

"Why," said the good wife, who was attending on her sick husband, "it's nothing but a dunghill fowl he's got on the bottoms of his feet, poor man."

"A dunghill fowl!" exclaimed I with no little amazement.

"Yes Doctor," said she, "I had the fattest fowl in the barn yard cut open alive, and one half put on one foot, and one half on t'other, while it was alive and kicking. It is a charming thing for fever, Doctor."

A live fowl cut open and put on a man's feet to cure a fever! Who put this foolish notion into your head?

"Foolish notion or not, Doctor, I'm sure Mr. Tozer is a great deal better of his complaint than he was, poor man; he does it sweat so confusedly, and he breathes a great deal shorter and quicker than he did."

"So much the worse, good woman."

"So you always tell me, Doctor, when I'm doing all I can for the benefit of the dear good Mr. Pheeter, heaven rest his soul—which in spite of all I could do, turned to an information of the lungs, and he is now in his grave, poor man."

"But what could put into your head this shocking remedy of the split fowl?"

"Why, it's been in my head ever so long, Doctor. My grand father was cured by it of a putrid fever, as I've heard my mother say. My father was likewise cured by the same remedy, of a dreadful rebellious fever; but just as he was getting on his feet again, he had a prolapse, which carried him off. Besides these, my cousin Jonathan Jenkins was cured of an inflammation in the bowels in the same way. Then Mrs. Thistlesifter, who you know is very skillful in roots and herbs, and so forth says there is nothing in the world so good for a fever as a split fowl."

"A split fowl! I was going to say and indeed if all the fools were so who meddle with that which they know nothing about the world would be better off. Did you give Mr. Tozer the medicine I left him?"

"No, Doctor. Mrs. Thistlesifter came in here just after you went away, and I couldn't do no less than to insult her in so important a crisis; and we come to the conclusion between us, that it was best not to give the medicine you left but to put the split fowl on his feet, poor man, and drench him well with peppergrass tea, and a little gill-ground over and smartweed with it."

"So you didn't give the medicine I left then?" No, Doctor: Mrs. Thistlesifter and I thought in such an important case, that the split fowl was the principal thing to be relied on. Besides, to tell truth, Doctor, we was afeared, we noticed a white powder in it."

"Indeed! and so because you and Mrs. Thistlesifter noticed a white powder in the medicine you threw it aside and split open a live fowl!"

Yes Doctor, I do think that mercury is a dreadful bad thing. It saves peoples lives to be sure, but then it gets into the bones as Mrs. Thistlesifter says and ther's no getting it out again as long as you live. Oh! I wouldn't a had Mr. Tozer, poor man to take it for any thing!"

"And so by following your own and Mrs. Thistlesifter's foolish notions you've lost your husband?"

"Lost him! did you say, Doctor—lost my dear Mr. Tozer!"

"Ay, I grieve to inform you that he won't live forty eight hours."

"Not 48 hours, Doctor! not live 48 hours! And I've only been married to him a year."

I am sorry to say thier's no hope for him."

And I laid out so much money for my wedding clothes only a year ago! And the dunghill fowl gone too! the fattest rooster in the barnyard! Oh, miserable me that I should be a widow again so soon!"

Saying this, the good woman wrung her hands and took on bitterly.

The next day Mr. Tozer died. Mrs. Tozer, as in duty bound, wept profusely for his death; and finally comforted herself that she had done every thing an affectionate wife could do—having taken the advice of Mrs. Thistlesifter, and having killed the most valuable rooster in the barnyard to save her husband's life.

A COUNTRY PASTICIAN.

[Reported from the Pennsylvanian.] IMPORTANT TRIAL.

Caleb Johnson vs. Isachar Kinderdine et alias—District Court of the United States. Present, Judges Baldwin and Hopkinson.

The attention of the District Court of the United States, has recently been engaged in the trial of a suit growing out of the apprehension of a runaway slave, by his owner. The substance of the evidence, detailed by the witnesses, is as follows:

In the year 1822 a party of four citizens of New Jersey, came into the State of Pennsylvania, and took from the service of the person with whom he was then living, a black slave, named Jack, whom they alleged had absconded from one of the party some time previously, and after manaculating him, placed him in a dearborn, with the supposed intention of running him from the bounds of this commonwealth. On their way from the house they were assaulted by a multitude, headed by Mr. Isachar Kinderdine (the individual with whom the slave was living at the time,) and having been seriously injured from missiles thrown by this mob, the party in the wagon were compelled to stop, in consequence of a blow received on the head, by Caleb Johnson, the master of the negro—the slave taken from their possession—the gentlemen who had come merely to reclaim their property, were taken into custody, and the plaintiff in this suit committed to the jail at Norristown, to answer to the charge of felony, before the proper county court. His trial took place accordingly, and he was honorably acquitted.

On these grounds Caleb Johnson has brought an action of damages against Isachar Kinderdine et alias, who participated in that violence, before stated to have been done to his person. The claimant prosecutes this cause under an act of Congress, passed to assist masters in the recovery of their runaway slaves, and demands of the defendants, damages in the sum of \$10,000.

The charge of Justice Baldwin, was eloquent and conclusive, and afforded a striking commentary, on the recklessness of those who assert that the North is interfering with the peculiar property of the South: he expressly informed the jury, that a master has the right of arresting his slave, without a warrant, and carrying him before any competent tribunal, in order to prove his property, that he is not required to answer any questions of any one, except those of the legal magistrates, and that parole evidence is sufficient to show the validity of his claims in the absence of a bill of sale. His address was adverse to the defendants, and should be spread widely, for it would have a powerful influence in allaying the fears of one section of the country on this subject. The jury gave a verdict for plaintiff, and awarded damages at \$4000.

Dr. A. Clarke and Methodism. When we look at the strenuous and self sacrificing lives as such men as Clarke, we need not be surprised that the institutions they serve thrive, while others are decaying. Adam Clarke would receive a guinea to defray the expenses of a circuit of 400 miles, in the course of which he would tend his own horse, cook his own victuals, clean his own clothes, and yet preach and pray at every village he came. Fare was of no consequence, and ill usage, violence, and menaces were often to be encountered, with but poor prospect of a bed at night, and a constant doubt as to his reception whenever he called. Courage, talent, perseverance, and above all, honesty and sincerity of purpose, bore him and many others through their tasks with success, and Adam Clarke in particular, not only performed the duties of an efficient Minister, but he mastered all the learning and all the literature of the east—the birth place of Christianity, and the scenes of its earliest propagation.

Examiner.

Electricity in Ireland.—The Belfast Northern Whig states, that a gentleman of Belfast had just put out his bedroom candle on Sunday evening, when a thunder clap burst over the house and relighted it. There was also a blue flame playing about the chamber.

Wise reproof.—When Bishop Aymler observed his congregation inattentive, he used to read some verses out of the Hebrew Bible, at which the people naturally stared with astonishment. He then addressed them on the folly of greedily listening to what concerned them not, while they were inattentive to matters in which their best interest were deeply involved.

Sacred Story.

VIRGINIA RESOLUTIONS OF 1798.

Pronouncing the Alien and Sedition laws to be unconstitutional, and defining the rights of the States.

Drawn by Mr. Madison.

Virginia House of Delegates.
FRIDAY, Dec. 31, 1798.

Resolved, That the General Assembly of Virginia doth unequivocally express its opinion, that the Alien and Sedition laws, which have been lately passed by the Congress of the United States, are unconstitutional, and that they will support the Government of the United States in all measures warranted by the former.

That this Assembly most solemnly declares a warm attachment to the Union of the States, to maintain which it pledges its powers; and that for this end, it is its duty to watch over and oppose every infraction of those principles which constitute the basis of that Union, because a faithful observance of them can alone secure its existence and the public happiness.

That this Assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government, as resulting from the compact to which the States are parties; as limited by the plain sense and intention of the instrument constituting that compact; as no farther valid than they are authorized by the grants enumerated in the compact; and that in case of a deliberate, palpable and dangerous exercise of other powers, not granted by the said compact, the States, who are parties thereto, have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them.

That the General Assembly doth also express its deep regret, that a spirit has, in sundry instances, been manifested by the Federal Government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and that (indications have appeared of a design to expand certain general phrases (which having been copied from the very liberal grant of powers in the former articles of confederation, were the less liable to be misconstrued,) so as to destroy the meaning and effect of the particular enumeration which necessarily explains and limits the general phrases, and so as to consolidate the States by degrees, into one Sovereignty, the obvious tendency and inevitable result of which would be, to transform the present republican system of the United States, into an absolute, or at best, a mixed monarchy.

That the General Assembly doth particularly protest against the palpable and alarming infractions of the constitution, in the two late cases of the "Alien and Sedition Acts," passed at the last session of Congress; the first of which exercises a power so wholly delegated to the Federal Government, and which, by uniting Legislative and Judicial powers to the Executive, as well as the particular organization and positive provisions of the Federal Constitution; and the other of which acts exercises in like manner a power not delegated by the constitution, but on the contrary, expressly and positively forbidden by one of the amendments thereto; a power which, more than any other, ought to produce universal alarm, because it is levelled against the right of freely examining public characters and measures, and of free communication among the people thereon, which have ever been justly deemed the only effectual guardian of every other right.

That this State having by its Convention, which ratified the Federal Constitution, expressly declared, that among other essential rights, "the liberty of conscience and the press cannot be cancelled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of oppression and ambition, having with other States recommended an amendment for that purpose, which amendment was, in due time, annexed to the constitution, it would mark a reproachful inconsistency, and criminal degeneracy, if an indifference were now shown to the most palpable violation of one of the rights thus declared sacred; and to the establishment of a precedent which may be fatal to the others.

That the good people of this Commonwealth, having ever felt, and continuing to feel the most sincere affection for their brethren of the other States; the truest anxiety for establishing and perpetuating the union of all; and the most scrupulous fidelity to the Federal Constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness; the General Assembly doth solemnly appeal to the like dispositions in the other States, in confidence that they will concur with this Commonwealth in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional; and that the necessary and proper measures will be taken by each for co-operating with this State in maintaining unimpaired the authorities, rights, and liberties reserved to the States respectively, or to the people.

That the Governor be desired to transmit a copy of the foregoing resolutions to the Executive authority of each of the other States, with a request that the same may be communicated to the Legislature thereof; and that a copy be furnished to each of the Senators and Representatives representing this State in the Congress of the United States.

Attest, JOHN STEWART.

1798, Dec. 24. Agreed to by the Senate.

H. BROOKE.

A true copy from the original deposited in the office of the General Assembly.

JOHN STEWART.

Keeper of Rolls

From the Jeffersonian & Virginia Times.

PATRICK HENRY.

Mr. Calhoun is said by the collar press to be the "Father of Nullification." Two years ago, they said Mr. Jefferson was the "Father of the doctrine."—Vide the Richmond Enquirer.—However these worthy quill drivers may change in their opinions, we think it highly probable that Nullification was in existence before Mr. Calhoun's day, or even Mr. Jefferson's. The following Resolutions of Patrick Henry, which have been kindly furnished us by our valued correspondent, "Palmetto," sound very much like Nullification. They are of course nonsense and treason—but as more matter of history, we lay them before the reader, and refer him to the commentaries of those two wise men, Andrew Jackson and Thomas Ritchie.

Extract from "The History of the American Revolution," published in London "under the superintendence of the Society for the Diffusion of Useful Knowledge."

"On the 25th of May, (1768,) the Assembly of Virginia passed strong resolutions against the Stamp Act, the substance of which was readily adopted by the other provincial legislatures. Popular pamphlets were published in abundance in reprobation of the power thus assumed by the British Parliament; and the proprietors of newspapers, whose journals were destined to be burdened with a stamp duty, raised against the obnoxious statute a cry which resounded from Massachusetts to Georgia. The oppressive measures of ministers were canvassed in town meetings and in every place of public resort; and the limits of the obedience due to the parent country were freely and boldly discussed in every company. In these proceedings the colony of Virginia led the way, by passing in the House of Burgesses, at the motion of Mr. PATRICK HENRY, the following resolutions:

1st. "That the first adventurers—settlers of this his Majesty's colony and dominion of Virginia—brought with them, and transmitted to their posterity, and all other his Majesty's subjects, since inhabiting in this his Majesty's said colony, all the liberties, privileges, and immunities that have at any time been held, enjoyed, and possessed by the people of Great Britain.

2d. "That by two royal charters, granted by King James I, the colonies aforesaid are declared to be entitled to all liberties, privileges, and immunities of denizens, and natural subjects, to all intents and purposes, as if they had been abiding and born within the realm of England.

3d. "That his Majesty's liege people of this his ancient colony have enjoyed the right of being taxed by their own assembly, in the article of taxes and internal police, and that the same has never been forfeited or yielded up, but been constantly recognized by the King and people of Britain.

4th. "That the Assembly of this colony, together with his Majesty or his substitutes, have, in their respective capacity, the only exclusive right and power to lay taxes and impose upon the inhabitants of this colony, and that every attempt to vest such power in any other person or persons whatsoever than the General Assembly aforesaid, is illegal, unconstitutional and unjust, and hath a manifest tendency to destroy British as well as American liberty.

5th. "Resolved, That his Majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatever upon them, other than the laws or ordinances of the General Assembly aforesaid.

6th. "Resolved, That any person who shall, by speaking or writing, assert or maintain that any person or persons, other than the General Assembly of this colony, have any right or power to impose, or lay any taxation on the people here, shall be deemed an enemy to this his Majesty's colony."

Principles not men.—During the late trial in Paris of a young man of the name of Bergeron, who was accused of having fired a pistol at the King, he made an avowal in court of Republican principles, when, called on for his defence. "I openly declare," said he, "I am a Republican, I feel a conviction that a monarchy is incapable of making a people happy. Hence, it is deduced, that I bear a particular hatred to the monarch. False reasoning! my views are not so circumscribed, nor my mind so little. What matters it to me if the king bears the name of Charles or Philip, if the system be the same? To Liberals we leave it to make a distinction between individuals, Republicans only look at a difference in principles. We are accused of desiring the death of the King. For what? To us, the death of the King is but the death of a man. It brings with it expenses to be paid for installing his successor and a new train of courtiers to flatter—nothing more, and we would waste our honor and our blood in exchange for the life of a King! To what good? Have we not learned to our cost, that Kings are not wanting for the people, so long as people want Kings, and that it would be only a loss of time to overthrow a monarch as the monarchical principle remains? It is the principle we attack.

Rousseau a Nullifier.—"The great body of the people, (See. Con. b. iii. c. X.) in whom Sovereignty resides, can neither delegate it nor resign it. The essence of Sovereignty is the general will, and that cannot be represented. The deputies of the people cannot be its representatives, they are only its attorneys. The laws which the community does not ratify, are no laws, are NULLITIES." We thus find that the great "Citizen of Geneva" was himself a Nullifier.

From the letter of Major Downing, we fear that the Major is proving treacherous, and that he is insidiously encouraging the President to extend the right hand of fellowship to Mr. Webster and his friends. This credentials ought to be revoked.

"I and the President are yetting ready to come on that way this summer. We shall come as far as Portland, exceptive shall go up to Downingville, for the President says he must shake hands with Uncle Joshua before he comes back, that faithful old republican who has stood by him, through thick and thin, ever since he found he was going to be elected President.—He will either go up to Downingville or send for Uncle Joshua to meet him at Portland.

There is some trouble amongst us here, a little, to know how we shall go along among the federalists, when they come that way.—They say the federalist in Massachusetts want to keep the President all to themselves when he comes there. But Mr. Van Buren says that'll never do, he must stick to the democratic party, he may shake hands with a federalist once in a while if the democrats don't see him, but whenever there's any democratic ground he mustn't look at a federalist. Mr. McLane and Mr. Livingston advise him to do otherwise. They tell him he'd better treat the federalists pretty civil, and shake hands with Mr. Webster, as quick as he would with Uncle Joshua Downing. And when they give this advice, Mr. Lewis and Mr. Kendall hop right up as mad as March hares, and tells him if he shakes hands with a federalist while he is gone, the democratic party will be ruined. And then the President turns to me and asks me what he had better do. And I tell him I guess he had better go straight ahead, and keep a stiff upper lip, and shake hands with who he's a mind to.

Mr. Van Buren staid with us a while at the President's but he's moved into a house now on Pennsylvania Avenue. He's a fine slick man, I can tell you, and the President says he's the greatest man in America. He's got the bestest tact ever I see. If you had a black but on, he could go to talking to you, and in ten minutes he could make you think it was white.

Give my love to our folks up in Downingville when you have a chance to send it to 'em, and believe me your old friend,

MAJOR JACK DOWNING.

"FOREWARNED—FOREARMED."

There are evident and pregnant symptoms in the collar press generally, of a disposition to call a second Baltimore Convention at no very remote period, to nominate candidates for the Presidency and Vice Presidency, and Mr. Van Buren being of course nominated, for none but his friends will attend, the nomination will be called the act of the Republican party—such is the New York system, which Mr. Van Buren has adopted. This system, which will become firmly established. This system enables a few men, possessed of the party machinery, to dictate measures, and control elections. What efficacy there is in it, was proved by the first Baltimore Convention and its results; and the choice of a Vice President distasteful to a majority even of those who elected him. Let all who do not wish to fall under the dominion of the Albany Regency, determine now, to counteract their tactics.

Richmond Whig.

LIFE GUARD FOR THE PRESIDENT.

The Baltimore Republican of yesterday says:

"Hitherto the respect which has been felt for the office of Chief Magistrate has been a more complete shield against any attack upon his person, than swords or bayonets could ever afford, and it has been our pride and boast that such was the fact; but if such an outrage as that which has been committed by Randolph be permitted to pass with impunity, much less to be spoken of in the manner of the article in the Whig to which we objected, we have no reason to expect that similar outrages will not in future be committed, and in order to protect the person of the President, he will, in all probability, at some future day, be surrounded, as the Chief Magistrates of other countries have been, by an armed body guard."

To this complexion, we foresaw, it would come at last. The Republican cautiously broaches the proposition for a life guard, and defends it distinctly and indirectly, by the practice of other countries.

A Collar Man.—Gen. Hawkins, a member of the late Congress from N. Carolina voted for the Force Bill, and offered as his defence to his constituents, (says a writer in the Oxford Examiner) that Gen. Jackson recommended it, and as he was Jackson man he was bound to support his measures! Gen. Hawkins is undoubtedly what he professes himself—a Jackson man.

Richmond Whig.

REFORM.—We have just received a letter from an old correspondent, saying, that he would "to-morrow" be removed from his office which he held, because he had refused a present support to a certain individual for the next presidency of the U. States! This is looking ahead—"with a vengeance!"

Niles Reg.

The New York organ of Mr. Van Buren, i. e. the Albany Argus, says that its master is "neither for nor against the tariff." A very "judicious" position. Does he mean to bid for votes in that way? What pays the Richmond organ?

From the New Haven Examiner.

A TRUE DEMOCRAT IN CONNECTION.

PROSCRIPTION.

"A Warner, J. Lewis, M. McNary, E. Wilcox, W. Simpson, R. Grover, and A. Grover, all of Middlebury, Ct. wish to discontinue your paper." !!!

Seven names all told;—and what think you, kind reader, was the cause of this melancholy catastrophe? Simply our having dared to doubt the infallibility of General Andrew Jackson!—simply because we would not, like the base hiring scribblers, say—"Jackson! right or wrong!"

For having dared to express an honest opinion an attempt is made to curtail our subscription list. And yet these men can talk of liberality—can even cant about the freedom of the press!

Had we played the hypocrite, and praised in our paper what every democrat at heart condemns—namely, the despotic measures recommended by the President in relation to South Carolina, should we have been proscribed by these men? No. They would have supported the treason, tho' they would have despised the traitor. We would rather be a kitten in the hands of a spoiled child, and be beat upon the head with a spoon, than live to become that beggarly thing—a pander of hypocrisy. We believe that Gen. Jackson, like all other men, can do wrong, and if there are any more upon our subscription list who are offended at this, we shall strike off their names like turnip tops. We do not commence this paper to please A. B. C. but to please ourselves—consequently we are pleased, we care not a brass farthing who is displeased.

But you are in favor of nullification! 'tis we deny. We have never written a single line that could be distorted into favor of nullification. We have openly disapproved of South Carolina's taking the course she has, until other means had failed—but having taken that course, we had no idea of seeing the people of the most patriotic State in the Union hunted down like wild beasts. We have opposed the federal measures recommended by the President—WE KNOW they are opposed by the leading democrats, though they are not honest enough to speak out as we have done. We have opposed federalism—the other of the writer of this was a federalist (the old fashioned stamp—was the intimate friend of Timothy Pickens, Fisher Ames, and Timothy Bigelow, and if we could not approve of federalism in him, surely shall not in General Jackson, fifteen hundred withdrew their names from our list. Thank God we can spare them.

suppose we have written in favor of nullification; we have done no more than ALL the Jackson editors have done for the last eighteen months. They have vindicated (and justly too) the course of Georgia in relation to the missionaries. The President approved of it also. Now it is quite possible for us to see how nullification can be any worse in South Carolina than in the neighboring State of Georgia. Why it is the nullification of an act which should be commenced and approved, and in another put down with violence and blood the principle remaining the same is impossible for us to understand. It must however, of course be right, as the President can do no wrong.

In conclusion, we have again to declare that we shall pursue the even tenor of our way unawed by threats, unchanged by bribes. If our patrons are pleased, it is well—if they are not, it is just as well.

Precedents.—Either the doctrine of precedents is policy to keep a man in ignorance, or it is a practical confession that solemn degenerates in governments, as government's increase in age, and can only jobble along by the stilt and crutches of precedents. How is it that the same persons who would proudly be thought wiser than our predecessors, appear at the same time only as the ghosts of departed wisdom! How strangely is antiquity treasured! To answer some purposes it is spoken of as the time of darkness and ignorance; and, to answer others, it is put forth as the light of the world.—Rights of Man.

DEATH BY SUFFOCATION.

A warning to well Diggers. On the instant, Major Robert Hairston (of Henry county Va.) lost two very valuable negroes by suffocation. They had been engaged in digging a well, and having progressed about 90 feet, reached a rock, which required boring and blasting. With this view, and upon the supposition that this object would be facilitated thereby, one of them built a fire on the rock. The next morning he descended and gave a farm, first by his groans and next by tumbling out of the bucket. The other negro, supposing him accidentally hurt, in descending, hurried down to his rescue, but returned no more; another was induced to go down, with a like purpose, but the precaution having been taken of tying him to the rope, he was drawn up in a short time almost lifeless. A physician (Dr. Winston) was immediately sent for, who with difficulty succeeded in restoring this one to life. He then, to absorb the fixed air, had lime water poured in the well and let down in the bucket; and having thus effectually expelled the gas, which was tested by letting down a lighted candle, which burnt freely, and afterwards a chicken, which returned unharmed, the negroes taken out. They were by this time entirely stiff and beyond all hope of resuscitation.

It would be prudent in those engaged in excavating wells, to pour in some lime or even common water, and when the well becomes very deep to let down a candle. This is a safe and prudent test. For where Carbonic acid gas becomes so much embodied as to suffocate, it will instantly extinguish the light of a candle.

Danville Reporter.

THE MECHANICAL ARTS.—Next to Agriculture, in point of necessity and usefulness should be regarded the Arts of Mechanism.

Who is more deservedly entitled to our respect and a rich pecuniary reward, than he who can so control the properties of motion, and calculate velocities so as at once almost to annihilate time and space? when he who is enabled, by the force of the elements themselves, to convert all, that is within reach in nature, to the most advantageous purposes—either to assist man in his enterprises by supplying his weakness, or to satisfy his wants, or contribute to his convenience?

While our country abounds in the variety of materials necessary to be wrought by the ingenious mechanic into labor saving machines, and while this supply of materials affords him, of ever so humble means, the required facilities of accomplishing the most surprising works within the compass of human agency, it offers, also, a stimulus to the capitalist to encourage the highest degree of perfection in machinery, for the economy of labor, to which the modifications of the mechanic powers are susceptible.

The vast extent of our territory; its cheap and luxuriant soil, inviting by the salubrity and variety of its climate, to all who may choose the honorable calling of husbandry, with a sure promise of a rich reward, renders nugatory the objections of some that human labor will be out of demand. In this government, while the best of wild lands, at a nominal price, are accessible to all, industrious and ingenious mechanics will never go unrewarded because machinery is too plenty.—And no other country offers the same reciprocal assurance of success in the cardinal pursuits of human industry; the field of our agriculture has no known limits; our commerce resting on the industry and enterprise of a republican people, looks boldly to countries the most remote; while the motto over the entrance of our manufactures is "Onward." Already it may be truly said of the American Mechanist, as it was by the Grecian—Give him but a fulcrum and he will move the world.

With the ardent mechanist, a thorough knowledge of mechanical laws, and a power of referring effects to causes, and vice versa, which always depend upon and lead to each other reciprocal aid, is the basis of improvement and discoveries; and a judicious combination of forces, constitute the perfection of his art. Syracuse Argus.

From the Nashville Republican.

VALUABLE INVENTION.

Arnold Zellner, Esq. of Giles county, has invented and obtained a patent for a machine for breaking and cleaning hemp, which after repeated experiments has been found admirably to answer the purpose intended. We have before us the certificate of twelve of the most respectable citizens of Bedford county, all hemp-growers, who witnessed the operation of the machine, and pronounced it the work of Col. Samuel Mitchell of that county. The first experiment resulted in the breaking and cleaning in a very superior manner, sixty seven pounds of neat hemp, and twenty-two and a half pounds of tow that came out of it, in thirty three minutes, with the assistance of six hands, exclusive of the drivers of the horses. On the second experiment, the result was twenty eight and a half pounds of well broken and nicely cleaned hemp, and eight and a half pounds of tow that came out of it, in 16 minutes, with the assistance of four hands, besides the drivers of the horses. In both instances, the machine was kept in operation by two mules and the same number of horses, with two small boys for drivers; the horses did not go faster than a brisk walk.

The great advantage of the machine, in addition to the saving of labor, appears to be, that it saves all the lint in the shape of hemp or tow, separating the tow from the hemp, and leaving the latter very smooth, and straight, and clean. We understand that with four good horses, the machine will easily turn out fifteen hundred weight of clean hemp per day. Boys from twelve to fifteen years of age, or women, possess ample strength to attend to it. The gentlemen who witnessed the experiments are all conversant with the culture of hemp, and they unite in recommending it as the most valuable machine within their knowledge for breaking and cleaning hemp. One of them, who has been for the last six or seven years a manufacturer of hemp into bagging and rope, considers the hemp broken and cleaned in this machine superior to that broken in any other way, as it will make less tow in hocking, and the tow that is separated from the hemp in the process will answer very well for making baling rope.

There are now exhibiting at the National Hotel, Chesnut street, models of one of the most ingenious pieces of machinery ever witnessed. It is used for sawing and boring; and the mathematical accuracy of its various operations is really surprising. It will turn out 500 wheel felloes in a day, while 14 are considered a good day's wheel-wright labor. It saws segments of any dimensions or descriptions, slats and legs for chairs, performs all kinds of cut sawing, small framing, nitro joints, &c. and all with accuracy and expedition.—The whole machine is but six feet square, and is turned by a steam-engine of one horse power. Its expense of construction is as trifling as it is simple, and it can be worked by an apprentice with ease and safety. It is very worthy of public attention and will well repay a visit.

Philadelphia Chronicle.

A law of Virginia allows the retailing of spirituous liquors at "proper places," in the different counties. In one of the counties the magistrates have decided that there is no proper place within their jurisdiction for such a purpose.

University of North Carolina.—The following notice, published in the last Raleigh Register, contains the first intimation we have had that a proposition to remove the University had been submitted to the board of Trustees. As to the propriety of the removal, much may be said upon both sides. Whilst its location at Raleigh would bring it more immediately under the notice of the public, and probably add materially to the number of students, it will not be contended, we suppose, that seats of government are calculated to improve the morals of young gentlemen at College. On the contrary, they are generally supposed to be peculiarly liable to those excitements and temptations to dissipation, from which it has been the constant endeavor of the Legislature to guard the Institution. Whether the good, will counterbalance the evil, is a question which much concerns the public.

The following is the notice referred to: At a meeting of the Board of Trustees on the 2d day of January last, the following Resolution was adopted:

"Resolved, That a Committee be appointed to inquire into the expediency of removing the University from Chapel-Hill to the Seat of Government, and into the means of effecting this object, and that they report at the next Annual Meeting of this Board.—That said Committee consist of fifteen Members, one, at least, from each Congressional District, to be selected by the President of the Board at his leisure."

"The President has subsequently appointed the following persons to compose this Committee, viz: James Iredell, John B. Baker, Simmons J. Baker, Wm. A. Blount, John H. Bryan, John Owen, William Roberts, John D. Toomer, Louis D. Henry, John M. Morehead, John Giles, Wm. J. Alexander, Thomas Love, Lewis Williams and James C. Johnston.

"The gentlemen composing this Committee are respectfully requested to meet at Chapel-Hill on Monday the 24th day of June next. JAMES IREDELL, Chm'n. Raleigh, May 10, 1838."

THE TRAITOR ARNOLD.

At the close of the Revolutionary war, Arnold, the traitor, accompanied the royal army to England. "The contempt that followed him through life, says an elegant writer, is illustrated by the speech of Lord Lauderdale, who, perceiving Arnold on the right hand of the King, and near his person, as he addressed his parliament, declared on his return to the Commons, that however gracious the language he had heard from the throne, his indignation could not but be highly excited at beholding, as he had done his majesty supported by a traitor." "And on another occasion, Lord Surry, rising to speak in the house of Commons, and perceiving Arnold in the gallery, said with precipitation, extending his arm, and pointing to him, 'while that man, this miserable outcast died in London, Jan. 14, 1801.'

Elegant Compliment.—At the late Ladies' Fair in Boston, Mrs. O., who presided at one of the tables for the sale of articles for the benefit of the blind, attracted no little attention, as well on account of the graces of her person, as the rarity and elegance of her wares. Whilst engaged in the avocations of the day, a saint approached her, and exhibited strong symptoms of becoming a purchaser of some of the rich articles with which the table was decorated. He drew from his pocket a ten dollar bill, and after looking some time steadily at the lady, he laid the money upon the table, and was about to withdraw. "Will you not take some article for your money?" said Mrs. O. The honest tar turned again towards her, and looked—then, with an expressive hitch, sheered off, saying—"no; I've had my money's worth."

This anecdote bears some affinity to, and is not less complimentary than that which is told of the Dutchess of Devonshire, at whose eyes the coalman asked leave to light his pipe. That celebrated lady always declared that after the coalman's compliment, all others were vain.

N. Y. Com. Adv.

I am a character well known in England and there are few, either high or low rich or poor, that are not acquainted with me.—I shun cities and towns, and take up my abode towards the extremity of a village. I am a stranger to virtue and innocence; therefore, with the fair sex I never appear. In respectable society I never admitted, but in a gang, among rascals and beggars, I am a principal character, and without the smuggling word do nothing. I never appear in day time, but in the middle of night and late in the evening, and always in disguise. I am fond of gaming, and always end in cheating, stealing and plundering. It is the opinion of Burns and Blackstone that I should be put in jail, but I was certainly never there yet. From what I said, you may suppose me some thief or pickpocket, but to prove that I am neither, I delight not in crowds and no sooner appear before one than it is gone. (The letter. G.)

The editor of the Eastern Sentinel gives the following as a certain cure for the tooth ache:—"Take a lump of unsalted lime about the size of a hickory nut, or dissolve or slack it in two thirds or three quarters of a tumbler of water.—Hold the lime water in the mouth contiguous to the aching tooth, and certain relief will ensue. If the relief is not permanent, repeat the application as often as the pain returns. If the pain is stubborn and refuse to yield, the lime water may be made thicker and stronger."

The editor says he has tried this remedy frequently, and never knew it to fail, notwithstanding the Fire King's Elixir had been tried in vain.



LAW OF THE U. STATES.
Passed at the second Session of the Twenty Second Congress.

AN ACT prescribing the mode by which Patents for Public Lands shall be signed and entered.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States, by and with the advice and consent of the Senate, to appoint a Secretary, with a salary of one thousand five hundred dollars per annum, whose duty it shall be, under the direction of the President, to sign his name, and for him, all patents for lands, sold or granted under the authority of the U. States.

Sec. 2. And be it further enacted, That this act shall continue and be in force until the fourth day of March, one thousand eight hundred and thirty-seven.

A. STEVENSON,
Speaker of the House of Representatives.
H. L. WHITE,
President of the Senate pro tempore.

Approved, March 2, 1833.

ANDREW JACKSON.

AN ACT to revise the act entitled "An act supplementary to the several laws for the sale of public lands."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases in which persons were settlers or occupants of the public lands prior to the first day of May, one thousand eight hundred and thirty-two, and were authorized to enter under the provisions of the act, entitled "An act supplementary to the several laws for the sale of public lands," approved April fifth, one thousand eight hundred and thirty-two, and were prevented from making their entries, in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale in consequence of a disputed boundary between two States, or between a State & Territory, the said occupants shall be permitted to enter the said lands on the same conditions, in every respect, as were prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and if the land shall be proclaimed for sale before the expiration of one year as aforesaid, then the said settlers or occupants shall be permitted to enter before the sale thereof.

Approved, March 2, 1833.

AN ACT to establish a town at St. Marks, in Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to cause so much of the public lands at or near St. Marks, in the Territory of Florida, as he may deem proper, to be laid off into town lots, not to contain more than one quarter of an acre each, and into streets, avenues, and out lots and public squares for the use of the town, and, whenever the survey of the same shall be completed, it shall be the duty of the surveyor for the Territory of Florida to cause two plats thereof to be made out, on which the town and out lots shall be respectively designated by progressive numbers; one of which shall be transmitted, with a copy of the field notes, to the Commissioner of the General Land Office, and the other to the Register of the land office for the proper district. Provided, That the President may adopt, if he shall approve, such plan as may have been already reported to the General Land Office.

Sec. 2. And be it further enacted, That the aforesaid town and out lots at said site, with the exception of such of them as the President may reserve for fortifications, shall be offered for sale to the highest bidder, under the direction of the Register and Receiver of the proper land office at such times & places as the President shall, by public proclamation, designate for that purpose, and all lots remaining unsold at the closing of the public sales shall be subject to entry at private sale at the proper land office. Provided, That no lot shall be sold for less than at the rate of twenty-five dollars per acre; and they shall, in every other respect, be sold on the same terms and conditions as are provided for the disposal of the other public lands of the United States.

Sec. 3. And be it further enacted, That previous to offering the aforesaid town and out lots at public sale, the President of the United States shall cause the value of any improvements which may have been made thereon to be ascertained in such manner as he may prescribe for that purpose; and the purchaser at public sale of any lot upon which there are such improvements, other than the owner thereof, shall, in addition to the sum to be paid to the United States, be, and hereby is, required to pay to the owner of the improvements, the value of them as thus ascertained; and, if payment thereof shall not be made upon the day on which the same was purchased, the lot shall be again offered at public sale on the next day of sale, and such person shall not be capable of becoming the purchaser of that or any other lot offered at that public sale. Provided, That, if any lot so offered and bid off on the last day of the public sale shall not be thus paid for the same may be entered at private sale, upon paying to the United States the sum at which it was bid off, and to the owner of the improvements the previously ascertained value thereof: And provided further, That the President be not authorized to offer any part of said town lots for sale, till he shall be satisfied that the site proposed for said town is not included within the limits of any conflicting Spanish title, which may not be released, or decided to be invalid.

Approved, March 2, 1833.

AN ACT granting an additional quantity of land for the location of Revolutionary bounty land warrants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the further quantity of two hundred thousand acres of land be, and the same is hereby appropriated, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the Continental army during the Revolutionary war," approved the thirtieth May, one thousand eight hundred and thirty-two, and the act, entitled "An act to extend the time of issuing military land warrants to officers and soldiers of the Revolutionary war," approved the thirteenth July, one thousand eight hundred and thirty-two; which said appropriations shall be applied in the manner provided by the said acts, to the unsatisfied warrants, whether original or duplicate, which have been or may be, issued, as therein directed, to the officers and soldiers, and others, as described in said acts: Provided, That the said certificates of script shall be received in payment of any of the public lands liable to sale at private entry.

Approved, March 2, 1833.

AN ACT to extend the provisions of the act of the 3rd March, one thousand eight hundred and seven, entitled "An act to prevent settlements being made on lands ceded to the United States, until authorized by law."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all offences prescribed in the act, entitled "An Act to prevent settlements being made on lands ceded to the United States, until authorized by law," approved the third of March, one thousand eight hundred and seven, when committed upon public lands not situated within any State, or organized Territorial Government, shall be recognizable in the District Court of the U. States held in the State nearest where the said offence may have been committed; and the offenders, upon conviction, shall be punished accordingly. And the said Court shall also have jurisdiction to hear and determine all suits and prosecutions, instituted for the recovery of all fines and penalties imposed by the said act.

Sec. 2. And be it further enacted, That it shall be lawful for the President of the United States, to direct the Indian Agents at Prairie Du Chien, and Rock Island, or either of them, when offences against the said act shall be committed on lands recently acquired by treaty from the Sac and Fox Indians, to execute and perform all the duties required by the said act to be performed by the Marshals in such mode as to give full effect to the said act, in and over the lands acquired as aforesaid.

Approved, March 2, 1833.

AN ACT to carry into effect the Convention between the United States and His Majesty the King of the Two Sicilies, concluded at Naples on the fourteenth day of October, one thousand eight hundred and thirty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint three Commissioners, who shall form a board, whose duty it shall be to receive and examine all claims which may be presented to them under the Convention between the United States and the King of the Two Sicilies, of the fourteenth day of October, one thousand eight hundred and thirty-two, which are provided for by the said Convention, according to the provisions of the same, and the principles of justice, equity, and the law of nations. The said board shall have a Secretary, versed in the French and Italian languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the Commissioners, Secretary and Clerk, shall, before they enter on the duties of their offices, take oath well and faithfully to perform the duties thereof.

Sec. 2. And be it further enacted, That the said Commissioners, shall be, and they are hereby, authorized to make all needful rules and regulations, not contravening the laws of the land, the provisions of this act, or the provisions of the said Convention, for carrying their said Commission into full and complete effect.

Sec. 3. And be it further enacted, That the members of the board so constituted shall meet at the city of Washington, and their salaries shall begin to be allowed within thirty days after the exchange of the ratification of the Convention shall have been proclaimed by the President of the United States; and, within one year from the time of said meeting, they shall terminate their duties. And the Secretary is required as soon as the said proclamation of the President shall have been made, to give notice of the said meeting; to be published in two newspapers in Washington, and in such other papers as he may think proper.

Sec. 4. And be it further enacted, That all records, documents, or other papers, which now are in, or hereafter during the continuance of this Commission may come into the possession of the Department of State, in relation to such claims, shall be delivered to the commission aforesaid.

Sec. 5. And be it further enacted, That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums, namely: to each of the said Commissioners, at the rate of three thousand dollars per annum; to the Secretary of the board, at the rate of two thousand dollars per annum; and to the Clerk, at the rate of fifteen hundred dollars per annum. And the President of the United States may, and he is hereby, authorized to make such provision for the contingent expenses of the said commission, as shall appear to him reasonable and proper; and the said salaries and expenses shall be paid out of any money in the Treasury, not otherwise appropriated.

Sec. 6. And be it further enacted, That the said Commissioners shall report to the Secretary of State all of the several awards made by them; a certified copy thereof shall be by him transmitted to the Secretary of the Treasury, who shall thereon distribute, in reasonable proportions, among the persons in whose favor the awards shall have been made, such moneys as may have been received into the Treasury in virtue of that, according to the proportions which their respective awards shall be to the whole amount then received first deducting such sums of money may be due the United States for said persons in whose favor said awards shall be made; and shall cause certificates to be issued by the Secretary of the Treasury, in such form as may prescribe, showing the proportion to which each may be entitled of the amount that may thereafter be received; and on the presentation of the said certificates at the Treasury, as the net proceeds of the general instalments, payable by the apportion Government, shall be received, such proportions thereof shall be paid to the legal heirs of the said certificates.

Sec. 7. And be it further enacted, That it shall be the duty of the Secretary of the Treasury, to cause the several instalments, with interest thereon payable to the U. S. States, in virtue of the said Convention, to be received from the Neapolitan Government, and transferred to the United States, in such manner as he may deem best, and the proceeds thereof to be paid into Treasury, and the same are hereby appropriated, to satisfy the awards so provided for.

Sec. 8. And be it further enacted, That all communication and from the Secretary of the Treasury, to the Commissioners, on the less of the Commission, shall be by mail, free of postage.

Sec. 9. And be it further enacted, That as soon as said mission shall be executed and closed, the records, documents, all other papers, in the possession of the commission or its officers, be deposited in the office of the Secretary of State.

Approved, March 2, 1833.

NEW CHEAP SPRING & SUMMER GOODS.

THE firm of HACKETT & LEBLEY having been dissolved, the business in future will be conducted by

S. LEBLEY & SON,
Who are now living direct from
New-York & Philadelphia,

A COMPLETE ASSORTMENT OF Spring and Summer GOODS.

Of the latest importations, consisting of
Dry-Goods, & Groceries,
Hats, Bonnets & Shaws,
Hard-Ware, Cutlery, and
PLATED WARE,

Saddlery, Crockery, &c. &c.

-ALSO-

A GENERAL ASSORTMENT OF
Carpenter's, Cabinet-Maker's, and
Blacksmith's Tools.

LIKEWISE A GOOD SUPPLY OF
Greek, Latin and English
SCHOOL BOOKS.

And all other articles usually kept in retail stores, which they intend selling at small profits for cash, or on a short credit to punctual dealers.

They respectfully invite their friends, and the public generally, to call and examine the assortment for themselves.

Cotton, Corn, Oats, Flaxseed, Beeswax, Tallow, and almost every description of country produce will be taken at fair prices, in exchange for goods.

Salem, N. C. 1st May, 1833. 74-1

NOTICE.

I AM anxious to close my business in the County of R. wan, and a duty I owe to my DEBTORS, induces me to give this PUBLIC NOTICE, that all notes, accounts, and demands whatsoever must be settled forthwith, or, I shall be under the disagreeable necessity of putting them in a course of collection where COSTS will be incurred.

I will attend at Mocksville every law day for the purpose of effecting this object.

ROBERT HARGRAVE.
May 24th, 1833. 77-1

South-River Bridge.

THE books are now open, and will continue open for six weeks, at the store of Thomas L. Cowan in Salisbury, at the store of Nevers Clement & Kelly, Mocksville; and at Joseph Hanes, Esq. Fulton, for subscriptions to the South-Yadkin Bridge.

THE COMMISSIONERS.
May 24th 1833. 6-2

Treasury Department.

By the late Congress, and the Treasury Department, nearly all the correspondence of the Secretary of the Treasury, from the establishment of the Department to the 31st March 1833, was destroyed, including, as well the original letters and communications addressed to the Secretary of the Treasury, as the records of the letters and communications written by him. With a view to repair the loss, as far as may be practicable, all officers of the United States are requested to cause copies to be prepared; and authentic by them, of any letters (excepting those heretofore alluded to,) which they may at any time have written to, or received from the Secretary of the Treasury; and all those who have been in office, and other individuals throughout the United States, and elsewhere, are invited to do the same. That this correspondence may be arranged into appropriate books, it is requested that it be copied on folio foolscap paper, with a sufficient margin on all sides to admit of binding, and that no more than one letter be contained on a leaf. It is also requested, that the copies be written in a plain and distinct or engrossing hand. Where the original can be spared, it would be preferred. The reasonable expense incurred in copying the papers now requested, not exceeding the rate of ten cents for every hundred words will be defrayed by the Department.

The correspondence which has been saved, and of which therefore, no copies are desired, are the records of the letters written by the Secretary of the Treasury to Presidents and Cashiers of Banks, from the 1st October, 1819, to the 20th February, 1833; all the correspondence relating to the revolutionary claims under the act of 15th May, 1828, and to claims of Virginia officers to half pay, under the act of 5th July 1832, and to applications for the benefits of the acts of the 2nd March, 1831, and 14th July, 1832, for the relief of certain insolvent debtors of the United States. Copies of some circular letters and instructions, written by the Secretary, have also been preserved; and it is requested that, before any copy be made of any circular, letter or instruction, written by the Secretary of the Treasury, the date and object of the circular be first stated to the Department, and its wishes on the subject ascertained.

LOUIS McLANE,
74-3m Secretary of the Treasury.

NEW GOODS.

The subscriber is now receiving, and offering, his assortment of

SPRING & SUMMER GOODS.

THEY were purchased in New York and Philadelphia, from the latest importations, and are entirely for CASH; they will be sold at a small profit, for cash, or to punctual dealers on the usual credit: his assortment will consist of

DRY-GOODS, GROCERIES, HARD-WARE, CUTLERY,

and every other article generally kept in his line of business; which together with his stock previously on hand, will make his assortment complete.

His friends, and the public generally, are respectfully invited to call, examine, and judge for themselves.

COTTON, BEES-WAX,
TALLOW, WOOL,
IRON, TOW-LINEN,
FLAX-SEED,

And nearly all kinds of country produce, will be taken in exchange for goods.

SAMUEL HARGRAVE.
Lexington, N. C. April, 20th 1833.

Negroes Wanted.

THE subscribers wish to purchase

YOUNG & LIKELY

NEGROES,

Of both sexes. For such, the CASH will be paid, by making application, either personally or by letter, at Lexington, Davidson County, N. C., to

HARGRAVE & HUMPHREYS.
May 24th 1833.

New Tailor Shop

IN LEXINGTON N. C.

Mr. Theophilus M. Simpson

MOST respectfully informs his friends, & the public at large, that he is now carrying on the Tailoring Business, in all its various branches in the town of Lexington, N. C. in the shop East of the Court House, formerly occupied by P. Fowler.

He regularly receives the latest New York and Philadelphia fashions, which will enable him to make any gentleman

A fashionable suit of Clothes, on short notice, and in a superior style of workmanship. He hopes by assiduous attention to business to merit a share of public patronage.

April 15, 1833. 71-1

CHARLESTON AND CHERAW, THE STEAM BOAT MACON.

CAPT. J. C. GRAHAM having been engaged last summer, in running a steamer between Charleston and Cheraw calling at Geo. Town on her way up and down, will resume her Trips in the course of a few days and is intended to be continued in the trade the ensuing season.

Her exceeding light draft of Water drawing when loaded only about four and a half feet water will enable her to reach Cheraw at all times except, an uncommon low river, when her cargo will be lightened: the Expense of Boat.

J. B. CLOTH.

Charleston Sept 26, 1831.

N. B. She has comfortable accommodations for a few passengers. 52-1

J. B. C.

THE THOROUGH BRED HORSE

RIOT,

WILL stand the ensuing season at Beaufort Ford, Lincoln County. He was gotten by the late Celebrated RACE HORSE and breeder old Sir Archie: His dam, a fine blooded mare—her pedigree can be traced to many of the most distinguished racers of the day. As to Sir Archie, his reputation, and that of his colts, and their descendants, are so well established, that it is scarcely necessary to say anything at the present day, as they have been among the most successful full distance horses, in the States of Virginia, North and South Carolina, Georgia and Tennessee, for the last fifteen years.

RIOT,

Is a handsome bay, five feet three inches high—four years old next spring. It is thought that he will make a good breeder, as his form and blood are both good. Particulars made known in due time.

H. G. BURTON.

R. A. BURTON.

December 31st 1832.

LITERARY NOTICE.

THE Hon. George E. Badger will deliver the next Annual Address before the Literary Societies of the University of North Carolina, on Wednesday the 26th June, the day preceding commencement.

DAILECTIC SOCIETY.

March 27th, 1833.

JOB PRINTING

EXECUTED WITH NEATNESS AND DISPATCH,

AT THIS OFFICE.

LOUIS McLANE,
74-3m Secretary of the Treasury.

PUBLIC SALE OF VALUABLE GOLD MINES.

WILL be positively sold, at public outcry, in the town of Milledgeville, on the 15th day of July next, the following Lots:

Lot No.	13th district, 1st section.	1st do.	2nd do.	3rd do.
1053	12 1/2	do	1st do.	
1195	12 1/2	do	1st do.	
646	12 1/2	do	1st do.	
861	12 1/2	do	1st do.	
859	12 1/2	do	1st do.	
830	12 1/2	do	1st do.	
932	12 1/2	do	1st do.	
817	12 1/2	do	1st do.	
999	4 1/2	do	1st do.	
974	4 1/2	do	1st do.	
1039	4 1/2	do	1st do.	
20	12 1/2	do	1st do.	North.
80	12 1/2	do	1st do.	North.
598	3d	do	2d do.	
845	21st	do	2d do.	
946	21st	do	2d do.	
838	3d	do	3d do.	

ALSO,
677 4th do. 3d do. (being Dub. 1st's Ferry.)

In the above list, are comprised the most valuable Mines, both for vein and deposits, in the whole Cherokee country. They are those which have been purchased during the Lottery, and are sold for the purpose of settlement, among the companies. Capitalists are assured, that the sale will be positive and without reserve. The terms will be one third, cash down—one third, in two months and the remaining third, in four months from the date of purchase. Notes, with approved security for the payment of the instalments as they become due, will be required.

THOMAS J. PARK,
JACOB PAGE,
JASON H. WILSON,
U. J. BULLOCK,
WILLIAM WARD,
Z. B. HARGRAVE,
SAMUEL TATE,
ROBERT S. PATTON,
THOMAS B. WARD,
WILLIAMS RUTHERFORD,
HENRY M. CLAY.

Milledgeville, Ga. May 6, 1833. 8-3

K. F. The TeleScope, of Columbia, South Carolina, the Courier, of Charleston, South Carolina, the Miner's Journal, of Charlotte, North Carolina, and the Star, of Raleigh, North Carolina, will publish the above list the day of sale; and the National Intelligencer, of Washington City, the Banner, of Nashville, Tennessee, and the Advocate, of Huntsville, Alabama, until the 5th July next, and forward their accounts to me, in Milledgeville, for which payment.

GEORGE W. MURRAY.

Notice.

A Journeyman Hatter

WANTED.

THE subscribers wish to employ a workman of good steady habits, (no other need apply) who will meet with good wages and constant employment. The subscribers live about seven miles North West of Concord, and about three miles South East of Jacob Stewarts mill, to whom apply.

ROSS JUSTIS & CO.
Cabarrus County, N. C. }
May 18, 1833.

NEW BINDERY.

WITH a view to the more efficient prosecution of their business, the Subscribers have established a

BOOK-BINDERY.

Having procured the best Materials from the North, and employed a Workman who comes well recommended, they are prepared to execute on moderate terms, all orders in this line.

Account Books, Records, &c. ruled and made to order: and every kind of Binding promptly executed in the best and neatest manner, on reasonable terms.

36-1 J. GALES & SON.

Raleigh, Aug.

Committed,

TO THE JAIL of this County, on the 15th instant, a negro man, who calls himself

FRANK,

about twenty-five or thirty years of age; about five feet six inches high, and says that he belongs to William Gilchrist, of Guilford County, North Carolina. The owner is requested to come forward, prove property, pay charges and take him away, or he will be dealt with as the law directs.

G. W. HILLIARD, Jailor.
Lawrenceville, Montgomery County }
N. C. May 18, 1833.

[PR. ADV. 51.] 2-78

State of North-Carolina.

LINCOLN COUNTY.

COURT OF PLEAS AND QUARTER SESSIONS.

April Term, 1833.

BURTON & CLAYTON (Original attachment vs. William Martin.)

IT appearing to the satisfaction of the Court that William Martin the defendant is not an inhabitant of this State, it is therefore ordered by the Court that he appear at the next Court of Pleas and Quarter Sessions, to be held for the County of Lincoln, at the Court-House in Lincoln, on the third Monday in July next; Replevy and plead to issue or Judgment by default will be entered up against him.

Ordered by the Court that publication hereof be made six weeks successively in the Western Carolinian.

61-2 V. McBEE, c. c. c.

Blank Warrants,

Nicely Printed on Fine Paper,

FOR SALE HERE—CHEAP